

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ROBERT DOWNER and	)	
NANCY DOWNER	)	
Plaintiff,	)	
	)	
V.	)	
	)	
TOWN OF BURLINGTON,	)	CIVIL ACTION NO. 05-11761RCL
ROBERT MERCIER individually and in	)	
his capacity as Town Manager,	)	
FRANCIS HART, individually and in his	)	
capacity as Chief of Police, and	)	
HARRY SAWYER,	)	
Defendants	)	
	)	

MOTION TO ENLARGE TIME TO RESPOND  
TO MOTION TO DISMISS

Now come the Plaintiffs above named and move to extend the time to respond to Defendants' Motion to Dismiss through December 28, 2005. In support of this motion Plaintiffs show that Defendants have filed a comprehensive motion to dismiss each count of Plaintiffs' complaint. Defendants have had the benefit of the several months since the complaint was filed in order to prepare their motion. A comprehensive response to that motion will require additional time beyond the fourteen days allowed by the rule to respond. In addition, the coming holidays also mean that there are days when the office of Plaintiffs' counsel is closed. Plaintiffs note that this case has not yet been scheduled

for an initial conference, and that the additional time to respond will not cause any delay in this case.

Respectfully Submitted  
By Plaintiffs' attorney,

December 9, 2005

/S/ Brian Rogal  
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